GAYNOR'S EXCISE WORD GOES

ONL) TWO NEW YORK ARRESTS. VONE IN KINGS.

spades Up. Side Doors Chained-That Does Not Mean You Were Vainly Athirst Cunningham and Keenan

lations of the excise law in New York by the Macdougal street station. mier on normal Sundays heretofore has been about eighty or eighty-five. The decrease is attributed to Mayor Gaynor's letter of a week ago in which he said refus the proper procedure was through the

though the precinct commanders was that sort of activity. The affidavits ing which Mr. Lloyd-George, Cha Commussioner Baker this morning and he This seems to dispose of all the rumore will forward them to Mr. Whitman's

The Brooklyn police had eighteen stativity from Kings county last night. They had made no agrests at all. The of arrests in Kings on a Sunday for excise violathere is usually more than forty. I was said that there might be a bigger showing of affidavits this morning.

In The Bronx the police commanders wave out in buggies taking a look at the They also remarked that affidavits might be turned in this morning. Saloon keepers all over town were careful about the appearance of their hars. They had the shades up and the screens were pulled away so that passersby could see that there wasn't anybody standing alongside waiting for some thing to be pushed across. The side doors had chains on them and you couldn't get in unless you were known. chester Square. The Pronx, which was raided by Keenan, the overzealous policeman, displayed a sign in the front window saving that no drinks would be

Raines hotel men were careful to about filling pails. If you wanted anyinside along with a sandwich.

and sewhere which did business at the bars unblushingly Lights were kept low finally took the stage and said in part: ast night, but if you looked carefully at the lars as if it were a weekday night.

obs last week for raiding saloons when that they would be on the job yesterday collect evidence and pass it on to a policemake the arrest they would report him them all and live as brothers. to the District Attorney

In the evening they went to Clason Point and Keenan got they kept to themselves.

Horace J. Donovan, secretary of the can be little room for bad." United Liquor Dealers Association of to look out for the outward appearances of

aspection district, saloon keepers seemed no more worried than usual by the excise law. In most saloons the back door was swinging. Enforcing the excise law seemed to have been sleft in the hands the uniformed policemen. Every poeman on coming in from his tour of buty showed his notebook to the lieutenant on the desk. In it was an entry omething like this: "On posts 8. 9 and one-half of 11 no violations of the excise aw were apparent. The screens in the windows were open and the bar was

in Inspector Walsh's district, on th upper West Side, and in Inspector Mc-Plany's, in the Tenderloin, it was said that no orders had been received in regard to using new methods in enforcing the law The police said that they were proceeding as on other Sundays

me policeman made an old fashio excise arrest in Harlem yesterday. It was the only excise case presented in the Harlem police court all day. Heretofore Sunday has brought from fiftee

to twenty such arrests in Harlem Policeman Dillemuth of the East 128t

stree station made the arrest. morning a man ran up and told him a fight was in progress near by. Dille-rioth harried along to the sidewalk in exington avenue. There he found John ren of 161 East 172d street fallen errested William A. Hickey of 137 East 22d street, who had felled Halloran. He a the Harlem court Magistrate O'Conno held McGloin in \$500 bail. To several nourers Dillemuth said he had had no

manding him to refrain from - and to rest content with getting for the District Attorney's Halloran did not appear against

e was about the usual front door ince of the excise law throughout yesterday, relieved by a few intending to indicate some back Long Island City and the old

in mone from molestation her repulse in Manchuria. or ening by placing in front serious background.

Sperber effected its concentration to the solars were exposed.

REDMOND'S DEMAND.

The King Must Swamp the Lords or A quith Must Resign, He Declares. Special Cable Despatch to THE SUN. LONDON, April 3.—John Redmo

eader of the Irish Nationalists, made speech at a great political meeting at Tipperary to-day, in which he made clear what the Government must do if it wants Nationalist support in the Hous of Commons. He did not of course us the language of direct dictation, but what he said was equivalent thereto.

The terms thus laid down were, it county yesterday, one reported by the effect, that the Government must hold East 126th street police station and the back the third rending of the budget until the House of Lords decides the fate of the veto resolutions. When the House of Lords rejects them then Premier Asquith must ask the King for guarantee and immediately resign if the King

If Mr. Asquith is willing to give Mr Redmond assurances on these lines the Irish will allow the earlier stages of the budget to be taken and will also discuss concessions to the inland revenue regard ing the whiskey and land taxes, regarddetectives will be presented to of the Exchequer, is satisfied Mr. Redof a composition between the Govern

ment and the Nationalists. Referring to the coming election Mr. Redmond said the last election cost Ameri can friends £10,000 (\$50,000). It would be a disgrace to Ireland is she had to ask he American sympathizers to refiew their generosity for the next election.

CARNEGIE ON THE HEREAFTER. Hest Preparation. He Save, Is to Live

Well While Here. PITTSBURG, April 3. - At Carnegie Music Hall this afternoon Andrew Carnegie received a remarkable greeting. In return

he made a short impromptu address. There had been a rumor that Mr. Carnegie might visit the music hall during the free organ recital this afternoon and this filled the hall early.

Then came word that Mr. Carnegic was not well and would not attend and many left the hall

The recital by City Organist Charles Heinroth, formerly of New York, was more than half through when without

Mr. Carnegie was soon discovered sit There were aslooms in the Tenderloin with the audience to the end, then in response to noisy clamor for a speech be

"As my days lengthen I feel that I am you could see four or five men standing brought closer and doser to the people who are my people, those with whom harles F Cunningham and Thomas was associated in days long gone. I feel Keenan, the two policemen who lost their specially affected this afternoon in meeting you under such conditions. I would hey were off duty, put in a busy day in say to you that the best preparation one cen make for life in the horeafter is to live well in this life, and this I an trying of passengers. just as usual. They said that they would to do. There is no time for the continuonce of petty jealousies which we may man and that if the policeman didn't have with our fellow men. Let is forget

Mr. Carnegie seen ed greatly affected They spent the afternoon walking at the noisy reception given by the Sunthrough The Bronx, viewing saloons, day concert crowd. Continuing be said. "I believe in the free Sunday concert Park, the amusement resort which opened and I am nade happy in the knowledge ing his gun into the door of the rear car Rapids, Mich. persons there and many of them didn't throughout the country. We should do One hit Goldenberg, who was standing Springfield, Ill., as his home, was put when the heart is filled with music there but got up and in the panic forced his subjected to a horsewhipping. Miss

Mr Carnegie walked from the nusic Kings County, said that his organization hall several hundred vards to the Hotel other passengers followed him, spilling White and the young woman were taken the ride but he said. "No. I want to show here people that I can still walk.

TRAIN STONERS CAUGHT.

Twelve Boys Who Threw Missiles at Cars Arrested in Van Cortlandt Park.

The police of Van Cortlandt Park captured a gang of twelve boys yesterday afternoon who have been terrorizing that part of town for three months. During that time New York Central passenger trains have been stoned and one of their engineers knocked senseless. lamps have been removed from their Although detectives and uniformed police have been on the lookout and have arrested many suspects these were released ecause of a lack of evidence

One week ago to-day a stone was hurled at Engineer Frank Burrows as he was esing Mosholu on the Yonkers branch of the New York Central. He was knocke ous by being hit on the head and the alertness of Fireman Charles Gilve in seizing the throttle and bringing the train to a stop saved the train.

Mounted police searched for the culprits

The gang, emboldened by escape a week ago, started the mischief yesterday nted Officer Woodbridge was notific that the gang was at work and that Burrows had been hit again by a flying secaped injury as a stone crash the car window. Woodbridge with tw ves and awaited an oncomin train. As it hove in sight stone hurled at it and the police swooped down tation, where arrangements were made the railroad to appear against them. Many excuses were offered to gain their liberty. They refused to give their names. Three of the boys were held as

SCARED BY AMERICAN FLAG.

Special Cable Despatch to THE SUN.

BERLIN, April 3 - The Neueste Nach-Newtown, where saloons and richten thinks that the United States with saloons that were is seeking in Liberia compensation for

sterday There were a few Referring to the semi-official account since. In the East Twenty-second street wever, whose cut and ground of the retreat of the German cruiser station last night it was said that Hearn specified the paper after the Liberians had refused its assistance the paper says that although it was comic it may have a more

card.

It was not before the negro republic but before the Stars and Stripes that the

POLICEMAN SHOOTS UP A CAR ATTACK GUARDAT MATTEAWAN 3 DEAD IN MAD BALLOON TRIP

100 PASSENGERS TAKE TO THE RAILS TO ESCAPE BULLETS.

ne Wounded-Others Hurt by Jumping Through Windows-Door Blocked by Drunken Bluecoat-Ironworker Disarms Him-Women and Bables There.

A drunken policeman shot up the rear car of a crowded northbound Third avenue elevated train at the 166th street station yesterday afternoon. He wounded one man and drove nearly a hundred up to. windows and the remainder through the rear door to the tracks, where they were rescued after reserves from the Morrisania station had beaten the policeman into submission

The wounded man is Charles Goldenberg, 22 years old, a hatter, of 16 Avenue A. He was shot through the left shoulder and is now at the Lebanon Hospital John A. Gallagher of 319 East Seventyseventh street and Patrick O'Keefe of 344 East Seventy-seventh street, both of whom jumped through windows, were cut by glass and bruised by falling on the station platform from the moving train A bullet nicked the left ear of Herbert Rauch of 19 West Sixteenth street and narrowly missed Bruno Pfeiffer of Passaic. N. J., who sat beside him.

The policeman, Thomas J. Hearn, attached to the East Twenty-second street station, was locked up in the Morrisania station on a charge of felonious assault. He is 29 years old and lives at 2047 Washington avenue. The Bronx

Hearn went off duty at 8 o'clock yes erday morning. Between that time and 2:55 o'clock in the afternoon he got mough drink in the hospitable places along Third avenue to make him hysteri

cal. He was in citizen's clothes and was due back at the station house at 8 P. M. A little before 3 o'clock he boarded the train at the 156th street station. The train consisted of seven cars and was packed warning the organ began to play "Auld to the platform gates with a Sunday rowd bound for Bronx Park.

The policeman took his stand at the ting well back in a box to which he had front gate of the rear car, where he barred been escorted. The crowd areas and be- access to the island platform. According thing, they said, it was better to take it gan to follow the organist in 'Auld Lang' to the guard, Michael C McGarry, Hearn Syne." Mr Carnegie too arose and sang was frothing at the mouth, abusing passengers and using vile language McGarry spoke to him, but Hearn drew his gun and said: "I'm a cop and I'll shoot anybody that

nterferes with me." At that all those on the platform who could pressed their way into the car. and when the stop was made at 161st street some left the train

After the train started Hearn, who still had his gun out, began kicking the shins "I'll shoot the first -- -- that

according to McGarry, who says Hearn was still frothing and velling incoherently. the platform passengers aside and pointand jumped to the track. Nearly all the grill room. White was the steward.

that was following.

with the policeman, while other men of policemen only. stood by. They fought for a minute or more before Rauch and Pfeiffer got their wite and joined the ironworker. Then as the train stopped Gallagher and O'Keefe reentered through the window

and took a hand Fox had his hand on the pistol and was when another man got him by the throat and choked off his wind.

"Let go," gasped the ironworker,

you've got the wrong man!" The newcomer broke Fox's grip on the un, took it himself and ran out the rear of the car shouting to those on the tracks not to be frightened, for he had the pistol, and started to cry.

The man disappeared in the excitement. whistle. They got handcuffs on Hearn after a further battle and called the re-

for Goldenberg. handing women and babies up to the sened, and fearing capture he toss platform and gathering in the lost hats young Harry to one side and escaped parasols, purses and other property that littered the ties. Traffic had been

plocked for half an hour Hearn was not spent by any means He fought in the patrol wagon all the way to the station. It was thought at first that he had gone insune, but Police Surgeon Daniel J. Donovan said it was plain

Hearn continued to shout and pound the spector Flood preferred chages against him and took away his shield. Deputy Commissioner Walsh suspended Hearn.

Hearn was appointed to the police force on September 16, 1908. He has been assigned to the Twenty-first precinct ever

Reduced Fares to New Orleans Pennsylvania Haliroad, April 7 to 10, incr Tickets good returning to reach origins) st point on or before April 25. For specific stop-over privileges and full information.

MAIMED MEN DROWN.

Three Insane Prisoners Try to Escap and Two Get Beyond the Walls. MATTRAWAN, N. Y., April 3.-Three in mates of the Matteawan State Hospital for the Criminal Insane tried to get away this afternoon, and two of them got well beyond the walls before they were caught The three men were Romeo S. Sykolsky of New York and James Quinn and Robert Buckley, both of Buffalo. Quinn tried the same thing two months ago, but nother inmate prevented his escape

James Houlihan, a guard, saw Sykolsky Buckley and Quinn in the courtyard alon to-day and went to see what they were Quinn made for him with a knife passengers from the car, some through which he had fashioned out of a corse steel and cut him over the eye. others jumped on him and stunned him with stones and a bag filled with sand. They grabbed his keys and started for the

But two other guards, hearing the fight came out in time to block the way. Sykolsky let himself be used as a stepladder and the two climbed the ten foot wall They ran about a quarter of a mile before they were overtaken. Houlihan had to go to the hospital, but he will recover.

STEAMER VENUS FOR MADRIZ.

Maybe Victor Gordon's Filibusters May Take That Side Too in Nicaragua Fight. NEW ORLEANS, April 3 - The steamship Venus, formerly engaged in the Central American trade, which is under repairs here with a view to sailing on Wedne or Thursday for Nicaragua, is not in the hands of the Gordon filibustering expedition, it appears. It is given out on excellent authority that she has been bought and repaired by the Madriz Government

and that when she sails from here it will feet. be to carry recruits to Madriz or else to ment that the car would drop. Delbrück land with force at San Juan and move on tried to open the escape valve, but the Bluefields. As the rainy season will soon begin in Central America, it will be difficult and mercy of the storm. This took them dangerous to move on Cape Gracias and Bluefields by land through the jungle. and the attack will have to be by sea. The Madriz Government has already at

San Juan two small American vessels recently captured and with the Venus it attack will be first on the latter place. whence the expedition will go to Corn Island and relieve the 800 political prishere by Estrada. These are expected to of the sea. oin the Madriz army in the final attack

on Bluefields. There are quite a number of adventurers who enlisted for the Gordon expedition stranded here and it is said that they and their leaders are not indis-Estrada end of the line, not caring so much which side of the affair they fight on so long as there is fighting.

POLICE WHIP NEGRO.

Send White Girl Who Had Admitted Her Lave for Him Out of City.

MEMPHIS. Tenn., April 3.-Confronted gives me any back talk. I'm a cop of with the choice of remaining in Memphis the Iwenty-first precinct," he shouted, and facing a serious charge or leaving on the first train for the North, Eva Bishop, a pretty girl not yet out of her teens, was As the train began to slow down for the escorted by a detective to the station 188th street station the policeman shoved and purched a ticket for Chicago. She said she would go to her home in Grand

way to the rear door, which he opened. Bishop was cashier at the Arlington Hotel

Leaping to the track with a flag he picked According to Police Inspector Hayes his way among the screaming women and Miss Bishop admitted her love for White. He was born in Yorkshire in 1854 and orthe third rail, and flagged the train senior. She said that he had been kind The second shot had whizzed past he was the only one in the world who ford. He had travelled pretty exten-Gallagher and O'Keefe and broken the had paid her any attention. She did not sively in the United States and Canada window behind them. Gallagher jumped know that it was unlawful for whites as well as on the Continent. through the glass, followed by O'Keefe, and blacks to marry in Tennessee and and both were rolled along the platform admitted that it was her intention some by the momentum of the train. The third day to marry White. The police gave National Liberal clubs. He leaves a White a choice of punishment. At first Hearn was still working at the trigger. he defied them, but after he got a lawyer his gun pointing at Thomas Fox. who is and was informed of the possibility of the hero of this story. Fox, a strapping criminal prosecution he submitted to the young ironworker living at 16 East Ninth horsewhipping, which was inflicted in street, grabbed for the weapon and closed the central police precinct in presence

CYCLIST STOLE SMALL BOY. Parents Out Driving Came Across Him Three Miles From Home.

Harry, the six-year-old son of Henry M. V. Summers, a real estate broker, livabout to wrench it from the policeman ing at Oyster Bay, L. I., was picking the first spring blossoms by the roadside last Friday afternoon when a stranger came along on a bicycle and asked him if he would like a ride. Harry declined, but the stranger put him up on the handlebars anyway. They rode about three miles when Harry began to get restless

The stranger tried to hush him because ome people in a buggy were pa Damm and Vehstedt by blasts of his but Harry wouldn't be hushed and his voice reached the ears of a woman in the carriage. She recognized the voice serves of the Morrisania station and an of her own child and screamed. Her nusmbulance from the Lebanon Hospital band wheeled his vehicle about and gave chase. The bicyclist with the child on The reserves under Sergt. Winslow set the handle bars gained at first, but when about getting the people off the track, a long hill obstructed him his pace les-The parents found Harry more scared than hurt and took him home. They

Left a Baby at Dr. Parkburst's.

have six other children.

Sounds from the areaway stirred Margaret Collins, maid servant in the house of Dr. Parkhurst at 133 East Thirty-fifth street, to seek out the cause last night. She found a baby bov in a gocart. liceman Carroll took gocurt and infant to the East Thirty-fifth street station. There a licetenant ordered Carroll to wheel the baby down to Bellevue by way

Atlantic Fleet Sails To-day.

NORFOLK, Va., April 3. The Atlantic fleet, which has been at anchor in Hamp-

CAR FALLS INTO THE SEA AND

lember of the Reichstag Among the Bead-Ascent Made in a Gale Began Disastrously-Suicidal, the Spectators Thought-Survivor's Thrilling Story.

Special Cable Despatch to THE SUN BERLIN, April 3 .- A balloon with a crew of four men, including Dr. Delbrück, member of the Reichstag, started at 10 o'clock this morning for Stettin.

It met with difficulties from the outset owing to a gusty wind. Eventually it was blown over the sea and fell near Rugen Island.

Delbrück and two others of the occupants were drowned.

The ascent was made in a gale, and it eemed to the onlookers that the aeronauts intended to commit suicide. balloon was hardly off the ground when it was driven into some telegraph wires which broke. The balloon tore free and then dashed into the chimney of a factory, snapping the chimney off.

From a statement by Herr Semmelhardt, the only survivor, it is evident that this sealed the fate of the travellers Delbrück's head was cut open and one of his legs was broken. Another man had an arm and leg broken while the head of another was half smashed. Semmel hardt's hands and a leg were crushed and he fainted.

The telegraph wires had torn the netting so the car threatened to fall, but the balloon shot up to a height of nearly 3,000 The travellers expected every mocord was broken

Thereafter the aeronauts were at the over the sea and brought them about 150 feet from the surface of the water The ripping cord was then pulled and about 500 yards off shore the car hit the

sea with a tremendous crash. All got clear of the wreckage, but their can transport 2,000 men to Bluefields or injuries and exhaustion prevented them Cape Gracias. It is believed that the from swimming and three of them sank one after the other. Semmelhardt alone reached and clung to the cordage, whence he was rescued by a boat, which reached oners. Zelayistas or Madrizistas, confined him with difficulty owing to the roughness

Deibrück was a member of a well known Minister of the Interior

Werner Hugo Wilhelm Delbrück, doctor of philosophy, represented the Second posed to take up the Madriz instead of the district of Stettin in the Reichstag. He was born December 31, 1888, at Kulchow. He was educated at gymnasiums in Stettin and then studied chemistry in Berlin. Freiburg and Griefswald. He served his military period in the artillery and then since 1899 director of the Leebad Herings- | again dorf Company. He was elected to the Reichstag in 1907.

REV. THOMAS LAW DROWNED. Noted Bettish Methodist Clergyman Was a Victim of Neurasthenia.

Special Cable Despatch to THE SEN. LONDON, April 3.-The Methodist and other free church communities have been shocked to learn that the Rev. Thomas to thirsty. What evidence Cunningham | sil in our power to encourage music, for near the door. He dropped to the floor, aboard an eastbound train after being Law secretary of the National Free Church Council, has been found drowned a mile offshore at Brighton.

He had-been depressed by neuraethenia Britain. Since 1895 he had been secre- night for four nights. tary of the National Free Church Council.

Golf was his favorite diversion. was a member of the City Liberal and

George Downing, and two daughters. PENDANT GIVEN AS BAIL.

widow, the daughter of the late Rev.

Miss Fletcher of Providence Helps Her Col. Joseph E. Fletcher of Providence gave his daughter's diamond pendant. valued at \$150, as bail for his chauffeur yesterday when the chauffeur, Ejnatz Oswald, was arrested for speeding on the Merrick road, Queens borough. The Colonel and his daughter accompanied the chauffeur to the police station in Jamaica, where Oswald was accused of

travelling at the rate of thirty-one miles Col. Fletcher asked the lieutenant charge what bail was wanted, adding that he had little money with him. The lieutenant said that if he did not have nough money the Colonel could leave the automobile, but this did not suit him. Miss Fletcher gave up her diamond pendant which she said was worth \$150. This was a lepted as bail and the chauffeur was released. He is to be arraigned

TEN SUBWAY HOODLUMS.

Ten subway hoodlums between iges of 16 and 20 were sent to the workhouse from the night court last night by Magietrate Corrigan. One 15 years old went to the Gerry society.

field Baseball Club. After a game yesterday afternoon they boarded the subway at Dyckman street. Tossing gloves and swinging on straps were the early numbers. Eventually two of the boys dragged into the car two girls who were stand on the platform and forced them to in the boys' laps

The ten were taken off the train at 157th street by Interborough policemen. In sentencing them Magistrate Corrigan said that subway roughhousing was go-

Freeport, L. I., were called from church row at 1 o'clock for the southern drill ground off Virginia Beach for tactical evolutions. The length of the stay of the fleet at sea is uncertain. The scout cruiser Chester went to sea to-day for long distance wireless experiments. this morning to fight a forest fire which

JAPANESE SPIES GO FREE.

No Law in the Philippines to Punish Them -Calamitous, Say Soldiers.

Special Cable Despatch to THE SUN. MANILA, April 3.—Owing to the inadequateness of the law the two Japanese who were arrested here a few days ago on the charge of being spies have been released, and they will sail for Japan to-morrow. The military authorities regard the moral effect of their release as almost calamitous, encouraging others to probe freely into the costly defences here. The Americans demand that Congress remedy the situation.

Gen. Duvall, the military commander following instructions from Washington notified Governor-General Forbes that he would release the prisoners unless the civil authorities desired to prosecute The completest investigation, however showed that the American law was inade quate to punish them, while the application of the Spanish military code was doubtful. A successful prosecution was therefore

PAYMASTERS COURT-MARTIAL. Naval Court to Inquire Into Disappear

ance of \$3,500 From Ship's Safe. BOSTON, April 3. Secretary of the Navy Meyer has appointed a court-martial to meet at the navy yard here on Thursday for the trial of Assistant Paymaster Lawrence G. Haughey of the U. S. S. Castine from the safe of which \$3,500 was extracted on March 10.

On March 8 Paymaster Haughey put \$3,500 in the safe and went away on shore leave. When he returned two days later the doors were locked as he had left

them, but the money was missing. A search of the ship revealed no trace of the money, but the next day a mess attendant found \$ 80 behind a bathtub.

MISSING JURYMAN RETURNS. Wittkowsky Felt Like Resting After

Spending a Night With a Friend. That youthful juror, Herman Witttowsky, Jr., who was absent Friday and Saturday from duty at the trial of Clifford W. Hartridge's suit for counsel fees against Mary Copley Thaw, returned last night to his father's house, 115 East

Ninety-second street. He said that he spent Thursday night with a friend. On awakening Friday morning he felt unequal to jury duty and charged his friend so to inform the Court He said he had presented his excuses to been forgiven. He expects to be on hand family, one of whom is now Imperial early when the trial is resumed to-day.

ETNA VIOLENT AGAIN.

New Lava Stream Threatens Villages

Showers of Stones. Special Cable Despatch to THE SUN CATANIA, April 3. - The violence of the eruption of Mount Etna is increasing again, and is accompanied by loud rumblings and showers of ashes and went into the business of cement manu-facture as chemical expert. He had been tionary yesterday, has started to flow

A new stream eight meters high and fifty meters wide has detached itself from the main stream and is advancing toward Borrello The main stream which is now 300 meters wide, threatens the villages of Palmento and Pecorella

TO TEST THE SNAPPER.

BOSTON, April 3.- The submarine boat Snapper goes out for diving tests to-Lieut, C. W. Nimitz with a crew of eighteen men will alternate riding had passed the word out to its members | Schenley. Those with him insinted that and tumbling along the ties as the train to the police station from the house of a nent among Methodist ministers in Great day and will stay on the bottom each be made, requests that the following

> The Snapper is one of the latest submarines to be put into commission, and children, stopping to warn them against who is probably twenty-five years her dained a minister in 1876. He held successively pastorates in Birmingham, ing the capabilities of these vessels. In to her since she came South and that Glasgow, London, Gateshead and Brad- addition to Lieut. Nimitz the crew is made up of four electricians, six gunner's regretted incident which made the recepmates and eight machinists. Every member of the crew has been trained for the position that he fills and knows what to

do in any emergency. All submarines are tested to travel submerged at a depth of 200 feet, but fifty or sixty feet will be the average depth to which the Snapper will be sub-

merged in the coming test. NIGHT RIDER CONVICTED.

LEXINGTON, Ky., April 3.—Boone Bush one of the alleged "night riders" charged with the raid on the town of Dycusburg on the night of February 3, 1908, was found guilty by a jury at Marion to-day

This is the first conviction of any of the alleged night riders arrested for the numerous raids and whippings in eastern dred men were arrested and indicted in

the past two years. Over thirty others are under indict-ment in the same court for the Dycusburg raid, and in view of the fact that Bush was convicted it is the purpose of the prosecuting attorney to continue with

RESCUED BY FIVE POLICEMEN.

More than a score of men, wor children were rescued by five Newark policemen during a fire in a three story frame tenement house at Waverly avenue and Broome street in that city yesterday. The blaze started from an unknown cause on the ground floor. It was discovered by Policeman Sampson and he summoned Policemen Harmes, Speer, Haute and Schmidt. The hall was dense with smoke and the inmates were panicstricken.

The policemen carried fully a dozen women and children out of the house. The firemen made short work of the fir

James Johnson, Timothy L. Woodruff's with a letter from his employer asking the Magistrate to parole the chauffour until to-day, when he would return to court with a bondsman. Mr. Woodruff was in Garden City and could not conveniently look after the matter yesterday. Magistrate Breen held Johnson held Johnson theory revolved the court with the matter yesterday. Magistrate Breen held Johnson held with the matter yesterday. Magistrate Breen held Johnson held with the matter yesterday.

ROOSEVELT NOT TO SEE THE POPE

He Would Submit to No Conditions. So Audience Is Cancelled.

"THE ONLY WAY." HE CABLES

Message to Fellow Citizens Deprecates Rancor—Just a Personal Incident.

The Colonel Telegraphed From the Sudan Asking Ambassador Leishman te Arrange Reception at the Vatican Cordial Response Coupled With Hint as to "Regretted" Fairbanks Affair Then the Ex-President Balked and the Arrangement Was All Off en March 29 Secret Kept Until He Landed in Italy-Radical Papers in Rome Praise His Course His Plans,

Special Cable Despatches to THE SUR ROME, April 3. -Col. Roosevelt is not see the Pope after all. It was settled on March 29 that his presentation at the Vatican should not take place, but the news was only given to the public to-day. The ex-President had expressed an ardent desire to meet Pius X. and the Pope had reciprocated with expressions of a cordial desire to see him. Col. Roosevelt declined, however, to give any guarantees that he would avoid any incident such as prevented the presentaion of Mr. Fairbanks. Therefore the United States Circuit Judge Holt and had arrangements which had been conducted by Ambassador Leishman and Mgr. Kennedy of the American College in Rome came to an abrupt termination.

> No explanation is given as to why the disclosure of the facts was delayed until after Col. Roosevelt's landing on Italian soil. Until this morning it was thought that to-morrow would see his meeting with King Victor Emmanuel and the following day his meeting with the Pope. He will'see the King to-morrow and dino with him, but he will not see the Pope. Perhaps a more exact way of putting it would be to say that the Pope will not see Col. Roosevelt.

As soon as the Colonel left the jungle at Gondokoro in February he wrote to Ambassador Leishman at Rome saying that he would be glad of the honor of a presentation to his Holiness. At Cairc man dated at Rome March 23 and reading as follows:

"The rector of the American Catholie College, Bishop Kennedy, in reon the surface and diving during the ply to an inquiry which I caused to communication be transmitted to you. It begins: 'The Holy Father will be delighted to grant an audience to Mr. Roosewill arise to prevent it, such as the much tion of Mr. Fairbanks impossible."

> dated March 25, in which he said: "Please present the following to Bishop Kennedy: It would be a real pleasure to me to be presented to the Holy Father, for whom I entertain high respect, both personally and as the head of a great Church. I fully recognize his entire right to receive or not receive whomsoever he chooses for any reason that seems good to him, and if he does not receive me I

priety of his action. "On the other hand, I in my turn must decline to make any stipulation or submit to any conditions which would in any way limit my freedom of conduct. I trust that on April 5 he will find it convenient

Vatican on the same day, and on March 28 Rishop Kennedy was instructed to send the following communication "His Holiness would be much pleased to grant an audience to Mr. Roosevelt, for whom he entertains high esteem, both personally and as the former Presiden

This reply was communicated to the

"THEODORE ROOSEVELT."

of the United States. "His Holiness recognizes Mr. Roosevelt's entire right to full freedom of conduct. On the other hand, in view of circumstances for which neither his Holiness nor Mr. Roosevelt is responsible. an audience could not take piece except on the understanding expressed in the

former message." Mr. Leishman telegraphed this to Mr. Roosevelt at Cairo, and the latter on March 29 telegraphed to the Ambassador; "The proposed presentation is of course

This impossibility did not receive publicity until to-day, by which time it was chauffeur, who was arrested for speeding evidently quite established. Shortly beon Madison avenue on Saturday, appeared fore leaving Naples this afternoon Mr. in the Yorkville police court yesterday Roosevelt cabled to Dr. Lyman Abbott

> fellow Americans regarding what has occurred in connection with the Vatican.

I am sure the great majority of my fellow citizens, Catholics quite as much as Post-